

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

---

BARBARA SCHNEIDER,

Plaintiff,

v.

Case No. 06-C-00345

TSYS TOTAL DEBT MANAGEMENT, INC.,

Defendant.

---

**FINAL ORDER AND JUDGMENT APPROVING CLASS ACTION SETTLEMENT AND  
PAYMENT OF ATTORNEY'S FEES TO CLASS COUNSEL**

---

**IT IS HEREBY ORDERED AND ADJUDGED:**

1. On July 20, 2007, the Court approved the Preliminary Settlement Agreement reached between Plaintiff and Defendant, TSYS Total Debt Management, Inc. ("Defendant"). The Court approved a form of notice for mailing to the class. The Court is informed that actual notice was sent by first class mail to approximately 448 class members. A total of 23 envelopes were returned by the United States Postal Service, none of which were returned with forwarding addresses and re-mailed. 1 class member requested exclusion and no objections were filed or received. A total of 58 class members timely returned a valid proof of claim form and each is, therefore, entitled to receive \$10.00 as his or her individual share of the monetary benefits of the settlement. As of November 14, 2007, no late claim forms were returned by class members.

2. On November 15, 2007, the Court held a fairness hearing to which class members, including any with objections, were invited.

3. The Court finds that provisions for notice to the class satisfy the requirements of Federal Rules of Civil Procedure 23 and due process.

4. The Court finds the settlement is fair and reasonable and hereby approves the Class Settlement Agreement submitted by the parties, including the Release and payment of the settlement funds. This settlement will be paid as follows:

i. Plaintiff Barbara Schneider will receive \$1000 in settlement of her individual claim.

ii. Class members who have timely returned a valid proof of claim form post marked by November 1, 2007, who did not exclude themselves shall be paid \$10.00 each by check, void one hundred and twenty (120) days after issuance.

iii. Plaintiff's counsel petitioned the court for attorney's fees and costs and expenses of this lawsuit in an amount not to exceed \$12,500. Plaintiff's counsel will not request additional fees or costs from defendant or the class members other than the court awarded fees and costs. The attorney's fees and costs awarded by the court shall be paid by check within thirty (35) days of the Effective Date.

iv. Any uncashed checks or checks returned by the Postal Service shall be retained by Defendant.

5. Plaintiff and the members of the class grant defendant the following releases:

(a) Plaintiff hereby remises, releases and forever discharges TSYS Total Debt Management, Inc., as well as its predecessors and successors in interests and present and former affiliates, subsidiaries, insurers, officers, directors, agents, employees, members, shareholders, general partners, limited partners, beneficiaries, representatives, heirs, attorneys, assigns, or entities for which the defendant performs portfolio servicing activities (including without limitation, any investors, trusts or similar entities) (collectively "Releasees") from any cause of action, suits, claims or demands whatsoever, in law or in equity, known or unknown at this time, which plaintiff and the settlement class have or ever had against the Releasees, or any of them, under any legal theory, whether or not alleged arising out of the allegations in or subject matter of the Complaint.

(b) Each class member not opting out releases and discharges the Releasees of and from all causes of action, suits, claims and demands, relating to the collection letter attached as Exhibit A to the Complaint.

6. The Court finds the Settlement Agreement fair and made in good faith.
7. The Court dismisses the claims of Plaintiff and the Settlement Class as set forth in the Class Settlement Agreement against Defendant and the Releasees with prejudice and with costs pursuant to this Order, as stated in paragraph 8 below.
8. The Court awards attorney's fees and costs of \$12,500 to Ademi & O'Reilly, LLP. Class counsel is not entitled to payment of any additional fees and costs other than the Court awarded fees and costs.
9. The Court retains jurisdiction over the interpretation, enforcement, and implementation of the Settlement Agreement and of this Order.
10. This order resolves all claims against all parties in this action and is a final judgment.
11. The Clerk is directed to close this case.

ENTERED: /s/ William E. Callahan, Jr.

U.S. Magistrate Judge William E. Callahan, Jr.

DATE: November 19, 2007